



**Credit Valley
Conservation**
inspired by nature

March 17, 2021

VIA EMAIL

City of Brampton, Committee of Adjustment
City Clerk's Office
Brampton City Hall
2 Wellington Street West
Brampton, ON L6Y 4R2

Attention: Kelly Henderson, Planner

Dear Ms. Henderson:

**Re: CVC File No. A 21/022
Municipality File No. A-2021-0022
Branthaven Queen West Inc.
1817 and 1831 Queen Street West
Part of Lot 5, Concession 4 WHS
City of Brampton**

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Watershed Based Resource Management Agency and Public (commenting) Body under the Planning Act - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities - providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
4. Regulatory Responsibilities - providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency - providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

Ontario Regulation 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

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Site Characteristics:

The subject property is located adjacent to the Huttonville Creek valley and as such is partially located within the CVC regulated area due to the slope hazard and meander belt allowance, as well as wetland on the adjacent property. As such, a permit for development under Ontario Regulation 160/06 is required for any development proposed in the regulated area.

Core Greenlands

It should be noted that the valley corridor is designated as Core Greenlands by the Region of Peel. It is the policy of the Region of Peel to protect the form and function of these natural areas. CVC provides technical support to this agency with respect to delineation of natural features and reviewing potential impacts from subsequent development within and adjacent to these lands.

Huttonville Creek Environmentally Sensitive Area

The subject property is also located adjacent to the Huttonville Creek Environmentally Significant Area (ESA). ESAs contain significant natural features within the Credit River Watershed and include valley and watercourse corridors, wetlands and woodlands. The designation of these is based on criteria related to terrain, flora and fauna, hydrological significance, aesthetic qualities and educational values. Our objective is to protect these sensitive areas from impacts related to construction or development activities.

Huttonville Creek Area of Natural and Scientific Interest

The subject property is located adjacent to the Huttonville Area of Natural and Scientific Interest (ANSI). CVC and the Province of Ontario do not support incompatible development within or adjacent to ANSIs. Provincial policy states that development and site alteration may be permitted in an ANSI if it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified.

Proposal:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to permit:

1. That lands subject to the R3C-2976 zone (Units 70 and 69 as shown on SPA2020-036) require no Rooftop Amenity Area, whereas the Zoning By-law requires a Rooftop Amenity Area;
2. That residential uses (limited to rear yard amenities) be permitted in the OS zone, whereas the Zoning By-law does not permit residential uses in an OS zone;
3. That lands subject to the R3C-2976 zone be permitted a landscaped open space of 12.5 square metres in the rear yard, whereas the Zoning By-law requires 19 square metres of landscape open space in the rear yard; and,
4. That lands subject to the R3C-2940 zone be permitted a landscaped open space of 19 square metres in the rear yard; whereas the Zoning By-law requires 22 square metres of landscape open space in the rear yard.

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Comments:

It is our understanding that Minor Variance #2 (i.e. that residential uses (limited to rear yard amenities) be permitted in the OS zone), is only to apply to the areas where rear yards extend into the OS zone (Units 1, 2, 19, 20, 21, 22 and 57) based on the new development limits shown on the redline revision of the Draft Plan of Subdivision (prepared by GSAI, dated February 8, 2021). This Minor Variance only applies to the green highlighted areas shown on the Committee of Adjustment Minor Variance Sketch Plan (prepared by GSAI, dated February 8, 2021), and does not apply to the rest of the OS zone (i.e. outside the redline revised development limits).

As such, we have reviewed the minor variance application and have no concerns and **no objection** to its approval by the Committee at this time.

CVC staff are also reviewing the proposed development through Draft Plan of Subdivision 21T-16004B and Site Plan Application SPA-2020-0036. We will continue to review and provide comments on these applications.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at trisha.hughes@cvc.ca or 905-670-1615 (ext. 325) should you have any further questions or concerns. Please circulate CVC on any future correspondence or applications regarding this site.

Sincerely,


Trisha Hughes
Planner

cc. Jeanie Myers, City of Brampton
Cynthia Owusu-Gyimah, City of Brampton
Alexander Martino, Region of Peel
Thomas Kastelic, Branthaven Queen West Inc.
Mark Condello, Glen Schnarr and Associates Inc.